

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Roy S. Bondurant, Don M. Boroson and Daniel V. Murphy

Application No.: 10/768,395 Group: 2633

Filed: January 30, 2004 Examiner: Not assigned

Confirmation No.: 3796

For: LINCOLN DISTRIBUTED OPTICAL RECEIVER ARRAY



| | |
|---|----------------------------|
| CERTIFICATE OF MAILING OR TRANSMISSION | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on: | |
| <u>8/16/04</u> | <u>Margaret A. Norcitt</u> |
| Date | Signature |
| <u>Margaret A. Norcitt</u> | |
| Typed or printed name of person signing certificate | |

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Notice to File Missing Parts dated June 17, 2004, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

☒ **EXECUTED DECLARATION FOR PATENT APPLICATION**

☐ **POWER OF ATTORNEY DOCUMENT**

☐ Granted by Inventor(s)

☐ Granted by Assignee, including Statement under 37 C.F.R. 3.73(b)

☒ **PRELIMINARY AMENDMENT**

☒ **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate

Fee calculations based on:

☒ Claims as originally filed

☐ The Notice to File Missing Parts states an erroneous number of claims.

☐ Claims upon entry of the Preliminary Amendment filed [herewith] [with the application]

☒ **SURCHARGE** - surcharge fee of \$130.00

☐ **SEQUENCE LISTING** - Filed concurrently and is attached

- ☐ **REPLACEMENT DRAWINGS** - sheets of replacement drawings consisting of Figs. 1 -
☐ are enclosed *(Separate transmittal letter and postcard not required)*
☐ A Petition to Accept Color Drawings/Photographs (Fig(s). ☐) and a
Transmittal of Replacement Drawings, with attachments, are enclosed.

☐ **PETITION FOR EXTENSION OF TIME**

- ☐ Applicant hereby petitions to extend the time to respond to the Notice to File
Missing Parts dated ☐ for ☐ month(s) from ☐ to ☐
The appropriate fee of \$☐ is included in the enclosed check
☐ A ☐ month extension of time to respond to the Notice to File Missing
Parts dated ☐ was filed on ☐ with payment of a \$☐ fee
☐ Applicant hereby petitions for an additional ☐ month extension
of time to respond to the Notice to File Missing Parts. The appropriate fee
of \$☐ is included in the enclosed check

- ☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached
(Separate transmittal letter and postcard required)

☐ **STATEMENT CLAIMING SMALL ENTITY STATUS**

- ☐ Was filed on ☐
☐ Is enclosed herewith
☐ In view of the small entity status of the captioned application, we hereby request a
reimbursement of 50% of the filing fees in the amount of \$☐ which were
paid on ☐ to be deposited in Deposit Account No. 08-0380

The fees required for filing the indicated documents are enclosed in the form of a check
in the total amount of \$1026.00. Please charge any deficiency or credit any overpayment in
the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is
enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

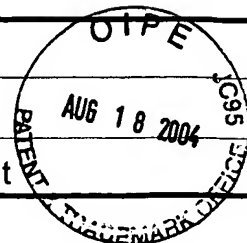
Ralph Trementozzi
Registration No.: 55,686
Tel.: (978) 341-0036
Fax: (978) 341-0136

Concord, Massachusetts 01742-9133

Date: August 16, 2004

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

| | | |
|--|------------------------|------------------|
| FEE TRANSMITTAL FOR PATENT APPLICATIONS | Attorney Docket Number | 0050.2066-000 |
| | Application Number | 10/768,395 |
| | First Named Inventor | Roy S. Bondurant |



CLAIM CALCULATION (includes any preliminary amendment)

| CLAIMS | (1) FOR | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
|--------|---|------------------|------------------|--------------------------------------|------------------|
| | TOTAL CLAIMS (37 CFR 1.16(c) or (j)) | 27 - 20* = | 7 | x \$ 18 = | \$ 126 |
| | INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i)) | 3 - 3** = | | x \$ 86 = | \$ 0 |
| | MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) | | | + \$ 290 = | \$ |
| | | | | BASIC FEE (37 CFR 1.16(a) or (h)) | \$ 770 |
| | Total of above Calculations = | | | | \$ 896 |
| | Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) = | | | | \$ |
| | TOTAL = | | | | \$ 896 |
| | Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) = | | | | \$ 130 |
| | Petition for Extension of Time Fee (37 C.F.R. 1.17) = | | | | \$ |
| | Assignment Recordation Fee = (only when filed with application) | | | | \$ |
| | [Other] | | | | \$ |
| | TOTAL = | | | | \$ 1026 |

* Reissue claims in excess of 20 and over original patent
 ** Reissue independent claims over original patent

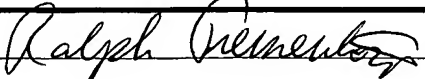
1. Small entity status:

- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$1026.00. ☐ Please charge \$[] to Deposit Account No. 08-0380.

4. ☐ Other: _____

| | | | |
|---------------------------------------|---|-------------|-----------------|
| Signature |  | Date | August 16, 2004 |
| Submitted by Typed or Printed Name | Ralph Tremontozzi | Reg. Number | 55,686 |



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/768,395 | 01/30/2004 | Roy S. Bondurant | 0050.2066-000 |

CONFIRMATION NO. 3796

021005
 HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
 530 VIRGINIA ROAD
 P.O. BOX 9133
 CONCORD, MA 01742-9133

FORMALITIES LETTER



OC000000012969989

Date Mailed: 06/17/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$126 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1026 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

08/19/2004 FFANAI2 00000004 10768395

01 FC:1001
 02 FC:1051
 03 FC:1202

770.00 OP
 130.00 OP
 126.00 OP

- Total additional claim fee(s) for this application is **\$126**
 - **\$126** for **7** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE